

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Zyskind, et al. )

App. No. : 09/492,709 )

Filed : January 27, 2000 )

For : GENES IDENTIFIED AS  
REQUIRED FOR  
PROLIFERATION IN  
ESCHERICHIA COLI )

Group Art Unit : 1631 )

I hereby certify that this correspondence and  
all marked attachments are being deposited  
with the United States Postal Service as first  
class mail in an envelope addressed to:  
Assistant Commissioner for Patents,  
Washington, D.C. 20231, on

July 26, 2001

(Date)

Daniel Hart, Reg. No. 40,637

**CD-ROM SUBMISSION STATEMENT**  
**TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In addition to the compact disc labeled CRF, two (2) compact discs in compliance with 37 C.F.R. § 1.52(e) are submitted herewith.

As required by 37 C.F.R. § 1.52(e)(3), the compact discs are in IBM-PC format, compatible with MS-Windows operating system, and contain the following file:

File Name: 001asubst.txt

Size in Bytes: 702,473

Date Created: July 20, 2001

The content of the compact disc labeled "Copy 1" is identical to the content of the compact disc labeled "Copy 2." A copy of this transmittal letter is attached to the compact disc labeled "Copy 2."

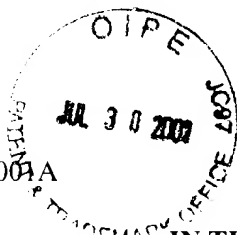
Respectfully submitted,

KNOBBE, MARTENS, OLSON &amp; BEAR, LLP

Dated:                     By:                     

Daniel Hart  
Registration No. 40,637  
Attorney of Record  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660  
(619) 235-8550

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PATENT

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Daniel Hart, Reg. No. 40,637

SEQUENCE SUBMISSION STATEMENT

Assistant Commissioner for Patents  
 Washington, D.C. 20231

Dear Sir:

This is in response to the Raw Sequence Listing Error Summary mailed June 26, 2001. I hereby state that the amendments, made in accordance with 37 C.F.R. §1.825(a), included in the Substitute Sequence Listing submitted on the CD-ROMs provided herewith are supported in the application as filed. Applicants have corrected the informalities indicated in the Raw Sequence Listing Error Summary. Because these amendments merely correct informalities in the Sequence Listing, the Substitute Sequence Listing does not include new matter.

I hereby state that the substitute copy of the computer readable form, submitted on the CD-ROM labeled "CRF" provided herewith in accordance with 37 C.F.R. §1.825(b) is the same as the Substitute Sequence Listing on the CD-ROMs labeled "Copy 1" and "Copy 2".

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated:                     

By:                     

Daniel Hart  
 Registration No. 40,637  
 Attorney of Record  
 620 Newport Center Drive  
 Sixteenth Floor  
 Newport Beach, CA 92660  
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